

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72766 of 2025

Arising Out of PS. Case No.-155 Year-2025 Thana- SANGRAMPUR District- East
Champaran

Abhay kumar S/O Dinesh sahani R/O Village - Fursatpur, P.S- Motihari
Muffasil, District- East Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Lalsa Kumari D/o- Ram Pravesh Sahani, Village- Sarottar, P.S.- Dumaria
Ghat, District- East Champaran

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar No. 2, Advocate
	:	Mr. Raki Alam, Advocate
For the Opposite Party/s	:	Mr. Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 19-03-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
05.05.2025 in connection with Sangrampur P.S. Case No. 155 of
2025 for the offence punishable under Section 69 of BNS.

3. The prosecution story, in brief, is that the informant-
cum-victim used to live at the maternal grandfather's (nana)
house after death of her mother and her nana solemnized her
marriage and she was living a happy married life. A few days
after the marriage when she came to her Nana's house then
accused-petitioner started forcing to talk to her and started
calling repeatedly and giving her false assurance of marriage



and promised her that he will keep her like a queen after that he made illicit relationship with her several times and on 23.01.2025 accused- petitioner forcibly took her to Bangalore by luring her to marry and left her to maternal grandfather's (nana) house. That a two month old baby of accused-petitioner is also in her womb and thereby he committed an offence.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. Learned counsel for the petitioner further submits that the statement of the victim recorded under Section 183 of BNSS in which she has stated that she has performed marriage with the petitioner and as far as physical relation in concerned, the same has happened with the consent of the informant and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 10.05.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submitted that there is a direct allegation against the petitioner



in the FIR.

6. Considering the aforesaid facts and circumstances and the fact that petitioner is a person with clean antecedent and is in custody since 05.05.2025, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Rape & POCSO Cases), District and Additional Sessions Judge, East Champaran at Motihari in connection with Sangrampur P.S. Case No. 155 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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